

MINUTES OF THE MEETING OF BOARD OF PUBLIC WORKS, JUNE 3, 1943.

The Board of Public Works met on June 3, 1943, in the office of the Governor, State House, Annapolis, Maryland.

There were present:

Herbert R. O'Connor, Governor
J. Millard Tawes, Comptroller
Hooper S. Miles, Treasurer

Mr. Walter N. Kirkman, Director of the Department of Budget and Procurement, also attended the meeting.

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The Minutes of the Meeting of April 22, 1943, copy of which was sent to each member of the Board, were approved.

BOARD OF MENTAL HYGIENE:

Mr. Kirkman took up with the Board the question of continuing the bonus being paid to certain hospital employees at the rate of \$15.00 per month and because of the necessity of continuing the payment of this bonus to these employees to retain them in their positions, and also to obtain replacements, it was agreed to continue the payment of the bonus until such time as it was felt the matter should receive further consideration.

BOARD OF NATURAL RESOURCES:

The Secretary brought to the attention of the Board a letter dated March 16, 1943, from the Executive Secretary of the Board of Natural Resources stating that in as much as the Maryland Publicity Commission has suspended operations for the duration, the Board of Natural Resources would like to have the following equipment and furniture formerly used by the Commission, assigned to the Board of Natural Resources:

One typist's chair - adjustable, metal
One 3-section bookcase - mahogany
One metal cupboard - mahogany finish, 60" x 42"
Two mahogany arm chairs
One mahogany table 48" x 26".

The request of the Board of Natural Resources was approved.

CHEL TENHAM SCHOOL FOR BOYS:

The Board approved the action of Mr. Kirkman in authorizing the purchase by Cheltenham School for Boys of a typewriter from one of the employees of the institution because of the difficulty in obtaining typewriters elsewhere or through the usual channels.

COMMISSIONERS OF THE STATE ACCIDENT FUND:

Mr. Kirkman called attention to an Act passed at the 1943 Session of the Legislature, after the Supplemental Budget was submitted, authorizing larger salaries for the members of the Commissioners of the State Accident Fund, than is provided in the Budget.

This matter was referred to Mr. Kirkman for study and a further report to the Board.

COLLECTOR OF STATE TAXES:

Caroline County

The Comptroller took up with the Board the matter of uncollected taxes charged on the books of the Office of Comptroller to T. Frank Seward, former Collector of State Taxes for Caroline County. According to the accounts it appears that the amount shown to be owing by Mr. Seward is somewhat in excess of the amounts which Mr. Seward and the bonding company say are owing. It is the contention of the bonding company that it is not liable for the payment of these balances because of the fact that they do not represent amounts collected and not remitted by Mr. Seward, but are amounts which are outstanding and owing by taxpayers.

The State Auditor reported to the Comptroller that it is difficult to make a satisfactory audit of the accounts of the Collector because of the unavailability at this time of various records involved in the keeping of the accounts and since the accounts are now quite old, Mr. Seward having been Collector of the years 1928 to 1934, inclusive, it was thought that a compromise settlement, if it could be effected, would be desirable. The Comptroller suggested that he be authorized to compromise the State's claim on the basis of \$500.00 as settlement for any balances due for the years in question.

The Board approved the Comptroller's suggestion and authorized him to make the necessary effort to bring about the compromise.

COMPTROLLER OF THE TREASURY:

After careful consideration of the following claims for refund of franchise tax and filing fees paid in error to the State, the Board approved payment from Item #208-C of the budget of the State Tax Commission, all of the claims having been approved by that Commission, totaling \$377.24.

The Louis Allis Co.	\$25.15
Artistic Neckwear Manufacturing Co.	10.06
Atlas Crane & Excavating Co., Inc.	25.15
Baldwin & Houghton, Inc.	5.04
Capital View Realty Co., Inc.	25.16
Horstmeier Lumber Co.	15.09
Maryland Veneer & Basket Co., Inc.	5.03
National Sporting Goods Co.	20.15
Park & Tilford	25.15
Park & Tilford Import Corp.	25.15
The Pennzoil Co.	25.15
Roscal, Inc.	5.02
The Geo. T. Stagg Co.	25.15
John S. Teeter & Sons, Inc.	5.04
Trainor National Spring Co.	25.13
Vanco Homes, Inc.	5.03
Workingmen's Building & Loan Association	15.11
Company for the Restoration of Colonial Annapolis	7.04
The Frank J. Howard Co.	5.04
Jefferson Islands Club, Inc.	8.02
Mercersburg Builders' Supply Co., Inc.	5.04
Moore-McCormack Lines, Inc.	25.05
Phillips Commission Co. of Md., Inc.	10.07
Phillips Sales Co., Inc.	10.07
Phillips Transport Co., Inc.	10.07
Randallstown Bldg. & Loan Association #1	
of Baltimore County	5.04
St. Catherine's Island Corp.	5.04

CONVENTIONS:

The Comptroller brought to the attention of the Board two expense accounts received from State Departments in which were included items covering expenses incurred by the heads of the departments in attending conventions without authority therefore having been previously obtained by the heads for the incurring of such expenses.

1- Voucher in the amount of \$150.00 received from Commissioner of Labor and Statistics, covering expenses of the Commissioner in attending a Conference of Commissioners in New Orleans, La., on May 18-21, 1943.

2- Voucher in the amount of \$32.10 received from State Employment Commissioner, covering expenses incurred by the Commissioner in attending a conference of Employment Commissioners in Philadelphia on May 8 and 9, 1943.

referred

The Board/to Mr. Kirkman the matter of ascertaining from these departments why they incurred the expenses without having previously received authority therefore from the Comptroller, and the Comptroller was requested to withhold payment of the items until the matter could receive further consideration by the Board, after a report by Mr. Kirkman.

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Mr. Kirkman stated that he had received a request from the Public Service Commission for authority for the Commission to be represented at the annual conference of State Commission Engineers in Chicago, this year.

The request was not approved.

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Mr. Kirkman stated that he had received a request from the State Board of Examiners of Nurses for authority to attend a meeting prior to the convention of the National League of Nursing Education in Chicago.

The request was not approved.

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Mr. Kirkman brought to the attention of the Board the matter of attendance of officials of the University of Maryland at conferences, Dr. Byrd having explained in a letter to Mr. Kirkman that it is the policy of the University to not attend so-called annual conventions but to be represented at the various conferences where it is thought necessary that the University collaborate with other university officials in the matter of procedure, etc. It was agreed that it was desirable for the State to be represented at these conferences, but with the understanding that there was no necessity for representation at so-called annual conventions.

COURT COSTS:

The Board approved payment of the following items of court costs from Item #207 of the budget of the Board of Public Works.

The Daily Record: State Tax Commission vs. Potomac Electric Power Corporation	\$32.00
Wood et al vs Tawes, Etc.	52.00,

both of these items having been approved for payment by the office of the Attorney General.

DEPARTMENT OF STATE FORESTS AND PARKS:

The Secretary brought to the attention of the Board a communication received from Mr. Joseph F. Kaylor, State Forester, in which authority was requested for the purchase of approximately 187 acres of land adjoining the North East Forest.

The owner of the property has agreed to sell the 187 acres for \$1,500.00. Mr. Kaylor advised that this site is desirable as a location for a fire tower and in connection therewith he states that he has worked out a very satisfactory arrangement whereby the United States Army Engineers will erect their buildings on the site of the tower for the duration of the war and construct a ten foot gravel road over the land to be purchased; these improvements would be constructed without cost to the State of Maryland if the State would give the United States Army Engineers a lease to the site on which it is planned to erect this station.

The Board approved the request, with the understanding that any legal matters in connection therewith would be subject to the approval of the Attorney General as to legality, etc.

EASTERN SHORE STATE HOSPITAL:

The Board took no action on the request of the Board of Managers of the Eastern Shore State Hospital for authority to purchase an adjoining farm consisting of 127 acres, at a cost of \$42,000.00, or \$330.00 per acre. Mr. Kirkman was of the opinion that this was a rather high price for the property and in accordance with his suggestion action in the matter was withheld at this time.

EXECUTIVE DEPARTMENT:

Mansion

The Board approved the suggestion of the Governor that the rental of the

property at Bay Ridge, Maryland, used by him during the summer of 1942, at a cost of \$750.00, be taken care of out of the Mansion Maintenance Fund in the Executive Department budget.

GENERAL EMERGENCY FUND; and,
WAR EMERGENCY FUND:

Mr. Kirkman asked the Board if it desired, at this time, to establish a procedure to be followed for the consideration of applications and allotments from the two Emergency Funds. The Board thought it well to defer any action on allotments out of these funds until after the beginning of the new fiscal year on July 1, 1943.

INSURANCE:

War Risk

Mr. Miles took up with the Board the matter of renewing the War Risk Insurance on State properties along the lines followed last year when this coverage was required for the first time.

The Board authorized Mr. Miles to investigate the requirements for the renewal of insurance on these properties and to exclude any which it was felt it was not necessary to cover, after discussing the matter with the persons who were consulted last year in the writing of the insurance.

LEASES:

The Board approved lease for the Comptroller of the Treasury with the Grand Lodge Knights of Pythias of Maryland, Inc. for Rooms 206-7-8-9-10-11 and 12 of the Pythian Building, Charles and Preston Streets, Baltimore, for a term of one year from May 1, 1943, at an annual rental of \$4,500.00

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Mr. Kirkman took up with the Board the matter of office space for various State agencies where leases for space now occupied by the agencies would terminate later this year. Mr. Kirkman stated that he had been looking around and had come up with a number of buildings in which space would be available although in some instances the buildings were not of office type variety and might not be desired for the housing of State offices. Mr. Kirkman discussed several buildings in which it would be possible to obtain space and was requested to obtain all the information available and have it ready for the Board at the next meeting.

Mr. Kirkman advised the Board of an offer by the Court Square Building to rent 3,000 square feet at an annual rental of \$4,000 but because of the inquiry Mr. Kirkman is making as to other space in the City which might be available for offices, it was decided to take no action as to the offer from the Court Square Building at this time.

Mr. Kirkman advised the Board of the availability of 7,500 square feet in the Snow Building at a cost of \$1.25 per square foot, but because of the investigations Mr. Kirkman is making relative to office space in Baltimore no action was taken in this case.

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Mr. Kirkman brought to the attention of the Board a renewal of the request made sometime ago by the Real Estate Commission for authority to rent an additional office, preferably Room #702 Union Trust Building, which adjoins the present office of the Commission (701 Union Trust Building) so that the Commission would have a room where hearings could be held, which take place from time to time, on complaints received in connection with real estate license laws.

It was suggested that whenever it was necessary for hearings to be held it might be possible to arrange with the State Tax Commission for the use of its hearing room and thus avoid the expense of renting any additional space for the use of the Real Estate Commission.

Mr. Kirkman was requested to communicate this information to the Commission.

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Mr. Kirkman called attention to the fact that the Commissioner of Labor and Statistics is in need of more space and referred to the fact that the Commissioner was interested in the building at 17 East Franklin Street, Baltimore, at a cost of \$6,000 per year. Mr. Kirkman stated, however, that since the matter first came to his attention, the premises had been rented to others and the matter of space for the offices of the Commissioner of Labor and Statistics will be given consideration in his work of trying to locate space in Baltimore City for various State Agencies.

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Mr. Kirkman took up with the Board the matter of leases and locations at Berlin and Pocomoke City for use as Health Centers, but since it was not possible to make any recommendation, action in the matter was deferred until further information could be furnished.

MARYLAND COUNCIL OF DEFENSE:

The Secretary brought to the attention of the Board a statement of the Maryland Defense Funds as of April 30, 1943, which the Board reviewed and approved.

MISCELLANEOUS:

Mr. Kirkman called attention to the fact that two members of the General Assembly failed to return two sets of the 1939 Code which had been loaned to them by the State Library, during the 1943 Session of the Legislature.

The Board suggested that further effort be made to have these copies of the Code returned to the Library.

MORGAN STATE COLLEGE:

The Board approved statement submitted by Mr. Kirkman covering the allocation of scholarships for students to other institutions made by Morgan State College.

REGISTER OF WILLS:

Carroll County

At the request of the Comptroller, authority was given to write-off as uncollectible items of \$5.50 covering costs or fees and \$26.15 covering inheritance tax in connection with a report received from the State Auditor covering examination of the accounts and records of the office of the Register of Wills for Carroll County. The Register, Mr. Harry G. Berwager, in a letter dated February 9, 1943, indicated to the satisfaction of the Comptroller that these items were impossible of collection.

Dorchester County

At the request of the Comptroller authority was given to write-off as uncollectible an item of \$3.50 covering inheritance tax due in the estate of Nora T. Wilcox, which the Register claims he has found to be uncollectible after exhaustive efforts to collect it.

Worcester County

The Comptroller brought to the attention of the Board a file of correspondence of his office with reference to an item of \$149.48 due from Dr. Paul Jones, former Register of Wills for Worcester County, who died sometime ago leaving no estate out of which this amount could be paid. The sureties on the bond of Dr. Jones: William F. Johnson, M. Stagg, and T. H. Collins, are deceased with the exception of Mr. Johnson. A letter was addressed to Mr. Wm. F. Johnson calling upon him to remit to the State the sum of \$149.48 under the obligation assumed by him as surety on the bond of the Register. Mr. Edmond H. Johnson, attorney of Snow Hill, Maryland, son of Mr. Wm. F. Johnson, surety, requested the Comptroller to abate the account.

After due consideration, it was felt by the Board that the account should not be abated in as much as this surety should take care of his obligation and the Board therefore declined the request for abatement.

ROSEWOOD STATE TRAINING SCHOOL:

The Secretary brought to the attention of the Board the matter of a legacy left to Rosewood State Training School under the will of Andrew C. Snyder, deceased. The Secretary explained that he had discussed the matter with Dr. George A. Johns, Superintendent of the institution, and Mr. Hall Hammond, Deputy Attorney General, and that in their opinion the practical thing to do with the legacy, consisting of various securities, would be to convert the securities into cash and use the cash for the purchase of equipment or other items for the institution instead of considering the legacy as a trust fund, using the income derived each year for the benefit of four patients of the school, as indicated in the will.

The Board felt that the recommendations mentioned were in order and approved the adoption of them.

STANDARD SALARY PLAN:

Mr. Kirkman advised the Board of the work being done at this time relative to arranging to put into effect the provisions of the standard salary schedule and stated that it is possible that the appropriation to supplement the Budget for the fiscal year 1944 would not be adequate to take care of the increases for salaries of employees occasioned by the adoption of the plan unless it would be possible to provide that some of the State Agencies absorb in their budgets for the fiscal year 1944 the increased cost occasioned by the plan. He suggested that the mental institutions, and the penal groups absorb the amounts necessary for them as far as possible; that the departments operating on special funds be required to use the special funds available to them; and that departments operating on mixed funds, that is, both general and special funds, be required to contribute out of their special funds the proportionate share of the increased amounts necessary for those departments for the plan.

The Board approved the recommendations of Mr. Kirkman.

STATE ACCIDENT FUND:

The Secretary brought to the attention of the Board a communication dated April 14, 1943 from the State Accident Fund to which was attached a list of uncollectible accounts, with the request that the Board authorize the writing-off of these accounts as uncollectible. Attached to the letter from the State Accident Fund was a letter from William C. Walsh, Attorney General, dated April 15, 1943, approving the request of the State Accident Fund that the accounts be written off as uncollectible.

The request was approved.

STATE DEPARTMENT OF EDUCATION:State Teachers College-Salisbury

The Secretary brought to the attention of the Board communications received from J. D. Blackwell, President of the State Teachers College at Salisbury, requesting authority to proceed with the work of repairs amounting to \$7,000 as set forth in a list submitted to Thomas G. Pullen, Jr., State Superintendent of Schools under date of November 12, 1942, at the State Teachers College at Salisbury.

The Board approved this request, the repairs to be payable out of the General Bond Issue of 1941, as amended by the General Assembly of 1943.

STATE EMPLOYEES:Sick Leave

The Secretary brought to the attention of the Board a communication dated June 2, 1943 from Frank P. Bratten, Chief Inspector of State Licenses in the office of the State Comptroller, requesting that the provisions provided by Chapter 987 of the Acts of 1943 relating to State employees who, because of accident or unusual illness, find it necessary to be away from their duties for a period of time longer than the usual sick leave allotted to them under the law, be extended to him. Mr. Bratten's request was recommended by J. Millard Tawes, State Comptroller. It was stated that Mr. Bratten was a patient at Mt. Wilson and that it will be necessary for him to be there indefinitely.

The Board approved Mr. Bratten's request for an extension of sick leave, as authorized by Chapter 987 of the Acts of 1943, subject to his being certified by his physician as being physically able to return to duty.

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The Secretary brought to the attention of the Board a request from W. Lee Elgin, Commissioner of Motor Vehicles, that Miss Helen Elizabeth Imbach, an employee of the office of the Commissioner of Motor Vehicles, be extended the benefits provided by Chapter 987 of the Acts of 1943, as set forth above, as it will be necessary for her to be away from duty indefinitely. In connection with the request, Commissioner Elgin submitted a statement by Dr. John H. Trescher, Miss Imbach's physician, confirming her illness and stating that it would be impossible, at present, to say how long she would be ill.

The Board approved an extension of sick leave for Miss Imbach, as authorized by Chapter 987 of the Acts of 1943, subject to her being certified by her physician as being physically able to return to duty.

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Working Hours

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The Secretary brought to the attention of the Board a communication received from Mr. Charles D. Harris, Director of the Maryland Classified Employees Association, Inc., relative to a complaint received by the Association from certain employees of the State Department of Public Welfare that they are being forced to work needlessly an unreasonable length of hours, on a schedule which is in excess of that for any other state department.

This matter was discussed and the Secretary was instructed to advise the State Department of Public Welfare of the complaint.

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The Governor brought to the attention of the Board a communication he had received from Col. Harry C. Jones, State Employment Commissioner, asking that he be advised as to the working hours for State employees for the summer months of June, July and August.

After discussion of the matter, it was agreed that the hours should be from 9:00 a.m. to 4:30 p.m., daily, with the exception of Saturdays when the hours should be from 9:00 a.m. to 12:00 M, noon.

STATE EXAMINING BOARDS:

The Secretary brought to the attention of the Board a communication from Mrs. Mary H. Duvall, Executive Secretary of the State Board of Hairdressers and Beauty Culturists, calling attention to the fact that the Department of Budget and Procurement had declined to purchase for the use of that Board two leather chairs and also two fluorescent lamps.

This matter was discussed with Mr. Kirkman and he was instructed to get in touch with Mrs. Duvall relative to the question of purchasing any needed equipment for the offices of that Board.

STATE PROPERTY:

The Secretary brought to the attention of the Board Chapter 952 of the Acts of 1943, being an Act to authorize any department, agency or political subdivision of the State to sell surplus inventories of personal property during the present war under certain conditions, and requested the Board of state its position with reference to the administration of this law.

The matter was referred to Mr. Kirkman, as he has acted for the Board in the past in the matter of reviewing requests from any State agency for authority for the disposal of any property not of any further use to the State.

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Upon recommendation of Mr. Kirkman, the Board approved the transfer of certain property from the State Penal Farm to the Maryland Tuberculosis Sanatorium.

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The Board approved, upon the recommendation of Mr. Kirkman, disposal of property of the State Roads Commission covered by Property Condemnation Report of the Commission Nos. 3312, 3321, 3160, 1011, 3136, and 3159.

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The Board approved of the disposal of a small steel building, owned by the office of the Commissioner of Motor Vehicles, to Carroll S. Rinehart, Westminster, for the price of \$45.00, this sale being recommended by Mr. Kirkman.

STATE ROADS COMMISSION:

The Secretary brought to the attention of the Board the following deeds submitted by the State Roads Commission for execution by the members of the Board of Public Works, conveying:

To C. P. Cropper, of Ocean City, Worcester County, Maryland, land on the northerly side of North Division Street, Ocean City, Maryland.

To Hubert W. and Margaret T. Morgan, Washington County, Maryland, land originally acquired and needed in connection with the acquisition of rights of way for the Hagerstown-Frederick relocation.

To Nellie E. O'Malley, Murray D. O'Malley and Maud E. Trotter, to clarify certain discrepancies as to land to be conveyed and to be reserved in the two deeds referred to in this deed.

UNIVERSITY OF MARYLAND:

The Secretary brought to the attention of the Board a communication from Dr. H. C. Byrd, President of the University of Maryland, dated May 31st, 1943, outlining plans for work to be done for the University at College Park, Maryland.

The request of Dr. Byrd that the University be authorized to enter into a contract for the construction of four dormitories at a cost of approximately \$400,000.00 on the basis of employing the firm of Potts and Callahan Contracting Company at a flat fee of \$12,000, was approved.

The Board also approved the request of Dr. Byrd that Mr. Henry Powell Hopkins and Mr. Wilson Booth, architects, be employed to prepare plans for the new dormitory buildings. This was approved with the knowledge that these architects had been working on the plans for sometime, in accordance with tentative authority previously given. Dr. Byrd stated that the financial arrangements effected with the architects involved less than half the cost that ordinarily would have been entailed on the 6% fee basis.

The Board also approved request of the University for authority to expend \$40,000 in the construction of ten bungalows, at \$4,000 each, to be used to house labor for dairy, live stock, poultry, and agronomy departments, and for the Live Stock Sanitary Service. The money for this work is to be made available by the transfer of \$40,000 from the Bangs Disease Funds in which there is a sufficient surplus.

Dr. Byrd requested a statement from the Board as to the procedure to be followed in connection with the construction of the Armory. Dr. Byrd stated that in order to achieve acceleration in the construction of the Armory, it is necessary to let contracts for labor, brickwork, and for both labor and materials for plumbing, heating and wiring, and requested advice as to whether he should proceed to let these contracts as necessity required.

without previous approval by the Board, or whether it would be necessary to obtain the Board's approval in the case of each contract awarded.

The Board felt that all contracts to be awarded should be let after the usual competitive bidding and that the approval of the Board should be obtained in advance of an award to the low bidder. It was stated that Dr. Byrd could contact the Secretary of the Board in each instance, who in turn could communicate with the members of the Board and secure their verbal authority, to be confirmed in the minutes of future meetings of the Board, so that there would be no embarrassment which might be caused by any delay in waiting for formal meetings of the Board to consider any requests from Dr. Byrd for approval to these contracts.

UNEMPLOYMENT COMPENSATION BOARD:

The Secretary brought to the attention of the Board communications received from Mr. William Milnes Maloy, Chairman of the Unemployment Compensation Board, dated May 24, 1943, with a statement showing in detail the taxes collected, the accounts receivable, liens filed, and judgments obtained on tax claims, and a list in detail of the interest waived, balances of accounts abated, and adjusted, and accounts which in the opinion of that Board are uncollectible, covering the period for the quarter ended March 31, 1943, and requesting approval of the Board of Public Works to the action of the Unemployment Compensation Board in connection with these accounts.

A letter from Mr. Albert A. Levin, Special Assistant Attorney General, was attached to the statement, recommending to the Board that the request of the Unemployment Compensation Board be approved.

The Board approved this request.

ST. MARY'S FEMALE SEMINARY:

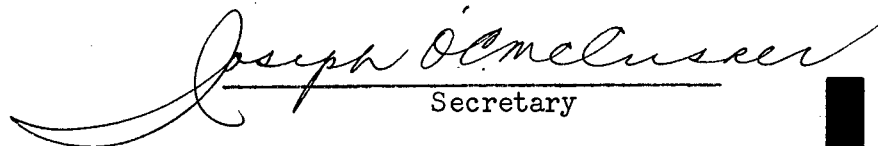
Mr. Kirkman stated that an inquiry had been made of St. Mary's Female Seminary as to whether it would be possible to rent rooms at the school during the summer months to Navy officers, and after due consideration of the matter it was felt that this should not be done.

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Mr. Kirkman took up with the Board the matter of allotment of \$1,000.00 from the Emergency Fund of 1944 to supplement the amount available in the 1944 Budget for teachers at St. Mary's Female Seminary.

It was decided to hold this matter over until the beginning of the next fiscal year in line with the Board's decision not to take up prior to the new fiscal year any requests for allotments from the Emergency Fund of 1944.

There being no further business, the meeting was adjourned.


Secretary